

Congress of the United States
House of Representatives
Washington, D.C. 20515

March 14, 2011

Protect Jobs and the Open and Free Internet

*Prevent the FCC from Regulating the Internet and Reclassifying
Broadband Under Title II*

Support H.J. Res. 37

Dear Colleague:

The Internet is an open and thriving marketplace and job creator, thanks in no small part to the historical hands-off approach to regulation from the federal government.

However, as I'm sure you are well aware by now, the Federal Communications Commission intends to change all that with recently passed rules to impose unprecedented job-destroying rules on the Internet. The Internet has been open and free — and should stay that way.

That's why I have exercised the authority under the Congressional Review Act to introduce H.J. Res. 37, a simple resolution that would nullify the FCC's launch of a government takeover of the Internet.

Don't just take my word for how important it is to pass this legislation. Here are just a few of the many voices strongly opposed to government interference in the Internet.

Clinton-era FCC Chief: DEREGULATORY, COMPETITIVE APPROACH BEST

- As Clinton-era FCC Chairman William Kennard said in a 1999 speech rebuffing calls to force open access: "The fertile fields of innovation across the communications sector and around the country are blooming because from the get-go we have taken a deregulatory, competitive approach to our communications structure — especially the Internet."

Economist on regulation of the Internet: PROFOUNDLY HARMFUL

- The FCC's rule will transfer wealth from broadband providers to application providers and ultimately harm both.

- Communications investment analyst Anna-Maria Kovacs, PhD: "More universally damaging...is the rule's potential to destroy the ability of infrastructure providers to raise capital. That would threaten the infrastructure on which both consumers and content providers rely.
- She continued: "A transfer of wealth between two independent parties can be beneficial to one at the expense of the other. A transfer of wealth that will ultimately cripple the party on which the other relies for its very existence is profoundly harmful to both."

Small cable and Internet provider: PICKING WINNERS AND LOSERS WILL DESTROY JOBS

- Amy Tykeson, CEO of BendBroadband: "How will companies like Bend Broadband be able to compete if we bear the brunt of the regulations while the giants, like Google, Amazon and Netflix, go free? The Internet is evolving. All members of the ecosystem need to work together to innovate.
- Tykeson continued: "The [FCC] Chairman has picked winners and losers in this recent effort to impose 'net neutrality' regulations. These efforts will cost jobs, stall innovation and dampen investment."

FCC order is an END-RUN around the D.C. Circuit's April 2010 ruling

- In the Comcast case, the court ruled that the FCC failed to show authority to regulate Internet network management.
- A vote against this resolution is nothing more than a vote to allow the FCC to reclassify broadband under Title II once the agency loses the appeal of this order in court.
- Even Free Press agrees that the FCC's legal authority is weak.

A vote FOR H.J. Res. 37 is a vote to KEEP THE INTERNET OPEN AND FREE

- H.J. Res. 37 would nullify the FCC's unnecessary and job-destroying rules to regulate the Internet and prevent the FCC from imposing substantially similar ones under Title II.
- A vote against H.J. Res. 37 is a vote for reclassification.

To co-sponsor or get more information, please email Neil Fried or David Redl, or call them at 5-2927.

Best regards,



Greg Walden
Chairman
Subcommittee on Communications and Technology
Committee on Energy and Commerce



Fred Upton
Chairman
Committee on Energy and Commerce



Lee Terry
Vice Chair

Subcommittee on Communications and Technology
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Collin C. Peterson
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